



Patent Application  
Attorney Docket No.PC10914ADAM

1646  
3/12/02

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By

*Janice Denison*  
(Signature of person mailing)  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Lee Harland :

APPLICATION NO.:09/826,791 : Examiner: Chernyshev, Olga

FILING DATE: 04/05/2001 : Group Art Unit: 1646

TITLE: Novel Polypeptide :

Hon. Commissioner for Patents  
Washington, D.C. 20231

RESTRICTION ELECTION

In response to the Restriction Election mailed November 15, 2001, Applicants elect Claim Set 1, claims 1-6 and 22 (drawn to polynucleotides of SEQ ID NO: 1, vector, host cell, and process for protein production), with traverse. Applicants note that the subject matter of Claim Set II, claims 1-6 and 22 (drawn to polynucleotides of SEQ ID NO: 5, vector, host cell, and process for protein production), is related, and not patentably distinct from, Claim Set I. Therefore, Applicants assert that there should be no restriction requirement dividing Claim Set I from Claim Set II and request that the subject matter of both Claim Set I and Claim Set II be considered during prosecution of the present application.

Applicants note that the polynucleotide of SEQ ID NO: 1 is merely a slightly truncated version of the polynucleotide of SEQ ID NO: 5. Thus, these polynucleotides are highly related. Accordingly, a search of subject matter concerning both SEQ ID NO: 1 and SEQ ID NO: 5 would not be unduly extensive or burdensome.

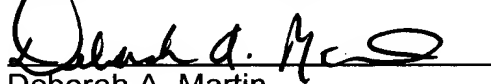
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The period for response to the Office Action has been extended 2 months to February 15, 2002, pursuant to Applicants' Petition for Extension of Time, under 37 C.F.R. § 1.136(a), filed herewith.

The Commissioner is hereby authorized to charge extension fees, additional claim fees, and any additional fees required, or to credit any overpayment, to Deposit Account No. 16-1445.

Date: February 11, 2002

Respectfully submitted,



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